

ARTICLE 16

SIGNS

16.001. Scope of Regulations. The sign regulations for this title are as set forth in this article. Any additional conditions imposed by state statutes, the State of Nebraska or Federal government and other applicable ordinances or regulations also apply. In the event of any conflict, the most restrictive ordinance, regulations, or other requirement shall apply.

16.003. General Provisions. No sign or part thereof shall be erected or maintained in any zoning district except in conformance with the provisions of this article.

- (a) No sign shall be erected or maintained in a required yard, encroach upon or overhang any adjacent property, or any other land or public right-of-way.
- (b) No sign shall exceed the maximum height permitted for buildings in the zoning district in which it is located.
- (c) Every sign shall be permanently attached to the ground, or to a building or structure which is permanently attached to the ground, except for mobile signs.
- (d) The area of a double-faced sign or two-sided sign or three-sided V-type sign not exceeding an angle of sixty degrees is calculated on one face of the sign only. A four-sided sign is to be calculated as two signs, and a triangular, three-sided sign is to be calculated on its largest face.
- (e) No sign shall be erected, placed or maintained that violates the site obstruction regulations of the County Engineer. Location of signs within sight distance limitations of street intersections or entrance or exits from private property shall be in accordance with and may be modified by regulations established by the County Engineer.
- (f) No sign or part thereof shall be erected in those zoning districts which are adjacent to or within the area of the interstate and federal-aid primary road systems in contravention of the advertising controls of the State of Nebraska. (Resolution No. R-00-10, January 26, 2000)

16.005. Permitted Signs. The specific regulations for signs and their supporting structures in the various zoning districts are as set out in this section. In the event of any conflict with other applicable ordinances and regulations, the most restrictive governing provision shall apply.

- a) "AG" Agricultural and "AGR" Agricultural Residential District:
 - 1) On-premise signs, including home occupations, bulletin boards and signs not exceeding sixty (60) square feet in area appertaining to the lease, hire, or sale of a building or premises or to any material that is mined, manufactured, grown or treated within the district shall be allowed, provided, however, that such signs shall be located upon or immediately adjacent to the building or in the area in which such materials are treated, processed or stored;
 - 2) In addition, the following signs shall be allowed:
 - a) Traffic and official signs;
 - b) Signs pertaining to the sale or lease of property or to activities conducted on the property, provided that these not exceed sixty (60) square feet in area;

- c) Signs with an area no greater than one (1) square foot for each ten

(10) lineal feet of highway frontage and provided, however, that:

1) No sign may be permitted that interferes with, imitates, or resembles any official traffic sign, signal or device;

2) No sign may be permitted which contains, includes, or is illuminated by any flashing, intermittent, or moving light or lights or any animated or moving parts; and

3) No sign may be permitted to be erected upon or maintained or painted upon trees or rocks;

b) "R" Residential District:

On-premise signs including public building bulletin boards and temporary signs not exceeding ten (10) square feet in area, pertaining to the lease, hire or sale of a building or premises, and church bulletin boards not exceeding twenty (20) square feet in area shall be allowed. Home occupation signing shall be allowed provided there is used no sign other than a non-lighted, non-animated and non-reflecting nameplate not more than two (2) square feet in area, which nameplate designates the home occupation carried on within in letters not to exceed two (2) inches in height and which nameplate must be clearly visible at the entrance to the premises where said home occupation is carried on and must be attached to the building wherein the home occupation is conducted;

c) "B" Business District:

On premise signs and advertising structures related to the activity conducted on the premises but with sign area not to exceed one hundred (100) square feet and not to exceed the height of the district shall be allowed and not spaced closer than one hundred (100) feet. Off-premise signs limited to three hundred (300) square feet in area, and not exceeding the height of the district subject to the provisions of 16.007. (Resolution R-00-10, January 26, 2000; Resolution No. 4055, April 23, 1985)

d) "I" Industrial District:

On-premise and off-premise signs, not exceeding the height of the district, shall be allowed, subject to the provisions of 16.007.

16.007 Off-Premises Signs.

(a) Administrative Permits. Off-premises signs are permitted in the B and I zoning districts by administrative permit issued by the Director of Building and Safety. The administrative permits shall automatically expire ten years from their date of issuance. The permitted may make application for renewal without removal of an additional sign.

(1) Applications for administrative permits shall include:

(i) The legal description of the land upon which an off-premises sign is to be located.

(ii) A copy of a signed lease or other verification that the applicant has permission of the owner of the land upon which the off-premises sign shall be located to locate the off-premises sign thereon.

(iii) The area of the proposed off-premises sign.

(iv) The description and location of a nonconforming off-premises sign or signs encompassing equal or greater sign area to be removed or previously removed following the effective date of this Resolution and not replaced. For the purpose of this section, a nonconforming off-premises sign shall mean any off-premises sign which was lawfully installed on the effective date of this ordinance and for which an administrative permit has not been issued.

(2) The administrative permit shall be issued under the following conditions:

(i) The off-premises sign shall be subject to the provisions of this section, notwithstanding any other applicable regulation of the zoning district in which the off-premises sign is located.

(ii) The nonconforming off-premises sign or signs identified in the application for removal shall be removed prior to application for the permit or within 30 days of the date of the issuance of the permit.

(iii) The off-premises sign shall be removed within 30 days following the expiration of the permit.

(b) Siting Limitations.

(1) The minimum distance between an off-premises sign and an existing off-premises sign or nonconforming off-premises sign shall be (800) 500 feet measured in all directions regardless of the zoning jurisdiction in which the existing off-premises sign or nonconforming off-premises sign is located.

(2) The minimum distance between an off-premises sign and a public elementary or public high school, private school having a curriculum equivalent to a public elementary or public high school, college or university, park, or cemetery shall be (800) 500 feet measured in all directions regardless of the zoning jurisdiction in which the public elementary or high school, private school having a curriculum equivalent to a public elementary or public high school, university, park, or cemetery is located.

(6) Off-premises signs shall be located a minimum of (75) 300 feet measured in all directions from all residential zoning districts.

(7) No off-premises signs shall be located within (800) 500 feet measured in all directions from a sensitivity zone until a special permit for such use has been obtained in conformance with the requirements of Article 13.014. For the purpose of this section, a sensitivity zone shall mean an historic district, historic landmark, bike trails, and Capitol environs.

(c) Lighting. Illumination of off-premises signs shall not be allowed from midnight to 5:00 a.m. If off-premises signs are illuminated, it shall be in accordance with design standards. The lighting shall be controlled by an automatic timing device and the lighting shall be provided by down lighting methods.

(d) Abandoned Signs. In addition to all other applicable regulations, off-premises sign structures and existing nonconforming off-premises sign structures which contain no sign copy on all faces for a continuous period of six months shall be considered an abandoned sign and shall be removed. This removal shall take place within ten days of the date of the abandonment.

(e) Removal of Existing Nonconforming Off-Premises Signs. For each new off-premises sign of a given sign area to be erected within the zoning jurisdiction of the County in conformance with this section, an existing nonconforming off-premises sign or signs encompassing equal or greater sign area shall be removed, unless no existing nonconforming off premise sign exists.

(f) Notwithstanding (e) above, upon request of the applicant, the County Board may, after report and recommendation of the Planning Commission, grant the applicant a bonus of one additional off-premises sign of equal square footage to the nonconforming off-premises sign to be removed upon a finding that the nonconforming off-premises sign to be removed is located in an area of special aesthetic value to the community and that removal of the nonconforming off-premises sign in question is a special desire of the community.
(Resolution R-00-10, January 26, 2000)